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**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF ARIZONA**

Decarus Lowell Thomas,)	No. CV-04-1998-PHX-DGC (JM)
)	
Petitioner,)	ORDER
)	
v.)	
)	
Joe Arpaio, et al.,)	
)	
Respondents.)	
)	

Pending before the Court are Petitioner Decarus Lowell Thomas's amended civil rights complaint and United States Magistrate Judge Jacqueline Marshall's Report and Recommendation ("R&R"). Docs. ##5, 8. The R&R recommends that the Court dismiss the amended complaint with prejudice due to plaintiff's failure to provide a current address and to prosecute this action. Doc. #8 at 1.

The Magistrate Judge advised the parties that they had ten days to file objections to the R&R and that the failure to timely file objections to any determination of the Magistrate Judge would be considered a waiver of the right to review of such determination. *Id.* at 2 (citing [28 U.S.C. § 636(b)(1); Fed. R. Civ. P. 72(b); *United States v. Reyna-Tapia*, 328 F.3d 1114, 1121 (9th Cir. 2003)]). The parties did not file objections, which relieves the Court of its obligation to review the R&R. *See Reyna-Tapia*, 328 F.3d at 1121; *Thomas v. Arn*, 474 U.S. 140, 149 (1985) ("[Section 636(b)(1)] does not . . . require any review at all . . . of any issue that is not the subject of an objection."); Fed. R. Civ. P. 72(b) ("The district judge . .

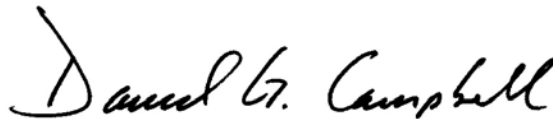
1 . shall make a de novo determination . . . of any portion of the magistrate judge's disposition
2 to which specific written objection has been made[.]").

3 The Court will accept the R&R and dismiss the complaint with prejudice. *See* 28
4 U.S.C. § 636(b)(1) (stating that the district court "may accept, reject, or modify, in whole or
5 in part, the findings or recommendations made by the magistrate"); Fed. R. Civ. P. 72(b)
6 (same).

7 **IT IS ORDERED:**

- 8 1. Magistrate Judge Jacqueline Marshall's R&R (Doc. #8) is **accepted**.
9 2. Petitioner Decarus Lowell Thomas's amended civil rights complaint (Doc. #5)
10 is **dismissed with prejudice**.
11 3. The Clerk of Court shall **terminate** this action.

12 DATED this 13th day of April, 2006.

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17 David G. Campbell
18 United States District Judge
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